

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION

BETTY S. LUCAS,	)	C.A. NO. 3:13-cv-02883-JFA
	)	
	)	
PLAINTIFF,	)	
	)	
vs.	)	NOTICE OF REMOVAL
	)	
SYSCO COLUMBIA, LLC,	)	
	)	
DEFENDANT.	)	
_____	)	

YOU WILL PLEASE TAKE NOTICE that the above-named Defendant hereby notifies this Court pursuant to 28 U.S.C. §§ 1332, 1441 and 1446 of removal to this Court of the action currently pending between the above-captioned parties in the Court of Common Pleas, County of Richland , State of South Carolina, Civil Action number 2013-CP-40-5789. Removal is based upon the following grounds:

1. Plaintiff commenced this action by filing the Summons and Complaint with the Court of Common Pleas, County of Richland, State of South Carolina, on September 24, 2013.

2. In her Complaint, Plaintiff alleges she suffered serious injuries, medical expenses, change in her life, pain and suffering, and lost wages – all as the result of an alleged slip and fall incident that occurred on October 28, 2010.

3. At the time of the commencement of this action and the filing of this Notice of Removal, Plaintiff and Defendant herein maintained the following citizenship:

- a. Plaintiff is a citizen and resident of the state of South Carolina.
- b. Defendant is a Delaware company with its principal place of business located at 1390 Enclave Parkway, Houston, TX, 77077-2099.

4. As a result, there exists a diversity of citizenship between the party Plaintiff and the party Defendant pursuant to 28 U.S.C. §1332.

5. Plaintiff is seeking monetary damages in this action that exceed the amount of \$75,000.00. In her Complaint, the Plaintiff specifically seeks reimbursement for the following allaged damages: injuries; medical expenses; pain and suffering; “change” in her life; and lost wages (Complaint, paragraph 12; see attached Exhibit A). Prior to filing this lawsuit, Plaintiff demanded \$120,000.00 in settlement of all claims (see settlement demand letter dated May14, 2013; Exhibit B); included with this demand letter was Plaintiff’s “Itemized Medical Expenses” (see Exhibit C).

6. Based on Plaintiff’s claims and alleged injuries, a jury could reasonably award damages in excess of \$75,000.00.

7. As set forth above, the amount in controversy, exclusive of interest and costs, exceeds the sum of \$75,000.00.

8. The Court of Common Pleas for Richland County is within the United States District Court for the District of South Carolina, Columbia Division. Thus, by filing the Notice of Removal in the district and division within which such action is pending, Defendant has satisfied the requirements of 28 U.S.C. § 1446(a).

9. This Notice of Removal is filed pursuant to 28 U.S.C. § 1446 within thirty (30) days of the receipt by Defendant of the initial pleading setting forth the claim for relief upon which this action is based. A copy of all process and pleadings served on Defendant attached hereto as Exhibit D.

10. A copy of this Notice of Removal has been filed with the Clerk of Court for Richland County Common Pleas.

11. The Defendant shall pay all costs and disbursements incurred by reason of the removal proceedings should it be determined that the said action was not removable or was improperly removed.

WHEREFORE, your Petitioner prays that this Court accept this Notice of Removal which is being filed and that this Honorable Court take jurisdiction of the above entitled cause and all further proceedings in said cause in the Court of Common Pleas, County of Richland, State of South Carolina be stayed.

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Date: October 22, 2013